

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

**IN RE PHILADELPHIA INQUIRER DATA
SECURITY LITIGATION**

CIVIL ACTION

NO. 24-2106-KSM

ORDER

AND NOW, this 25th day of October, 2024, upon consideration of Plaintiffs' renewed motion for preliminary approval of the class action settlement (Doc. Nos. 26, 26-1, 26-2, 26-3, 26-4, 26-5) and the preliminary approval hearing held on September 25, 2024, the Court finds as follows:

1. Plaintiffs' motion is **GRANTED** for the reasons set forth in the accompanying memorandum.
2. For settlement purposes only, the Court certifies the following settlement class pursuant to Federal Rules of Procedure 23(a) and 23(b)(3):
 - a. The approximately 25,549 natural persons whose Private Information was potentially compromised in the Data Incident.
3. The Court preliminarily **APPROVES** the settlement set forth in the settlement agreement (Doc. No. 26-2), which appears to be the product of serious, informed, and arm's-length negotiations between the parties and appears to be fair, adequate, and reasonable to the settlement class so as to fall within the range of possible final approval.
4. The Court approves the proposed form and content of the revised claim form (Doc. No. 26-3), revised short-form notice (Doc. No. 26-4), and revised long-form notice (Doc. No. 26-5) and orders the parties to proceed with dissemination of the notice as provided in the

settlement agreement (*see* Doc. No. 26-2). The Court finds that the proposed process for providing notice to the class as set forth in the settlement agreement fulfills the requirements of Federal Rule of Civil Procedure 23(c)(2)(B) and due process, provides the best notice practicable under the circumstances, and will provide adequate notice to all class members.

5. Plaintiffs Ivery Sheree Mosley, Steven Hassell, and Christopher Devine are appointed to act as representatives of the Class pursuant to Rule 23 of the Federal Rules of Civil Procedure.

6. The following attorneys are appointed as class counsel pursuant to Rule 23 of the Federal Rules of Civil Procedure:

Benjamin F. Johns, Esquire
Shub & Johns LLC
Four Tower Bridge
200 Barr Harbor Drive, Suite 400
Conshohocken, PA 19428
(610) 477-8380

Gary M. Klinger, Esquire
Milberg Coleman Bryson Phillips Grossman PLLC
227 W. Monroe Street, Suite 2100
Chicago, IL 60606
(866) 252-0878

Kenneth J. Grunfeld, Esquire
Kopelowitz Ostrow Ferguson Weiselberg Gilbert
65 Overhill Road
Bala Cynwyd, PA 19004
954-525-4100

Terence R. Coates, Esquire
Markovits, Stock & De Marco, LLC
119 East Court Street
Suite 530
Cincinnati, OH 45202
(513) 651-3700

7. Verita Global, LLC is appointed as the settlement administrator.
8. Class members may opt-out or object up to sixty (60) days from the Notice Date (the “Opt-Out Period”).
9. Class members may opt out of the settlement by mailing a written letter to the settlement administrator containing the following information:
 - a. The class member’s full name.
 - b. The class member’s address.
 - c. The class member’s phone number.
 - d. The case name: “*In re Philadelphia Inquirer Data Security Litigation.*”
 - e. All counsel representing the class member seeking to opt out, if any.
 - f. The following statement, or a statement to a similar effect: “I hereby request to be excluded from the proposed settlement class in *In re Philadelphia Inquirer Data Security Litigation*, Case No. 24-2106-KSM.”
 - g. The class member’s signature.
10. Class members may only opt themselves out; they may not opt out other class members, nor may a representative (such as an attorney) submit an opt out request on a class member’s behalf.
11. Any member of the settlement class who does not properly and timely opt-out of the settlement shall, upon entry of the Order and Final Judgment, be bound by all the terms and provisions of the settlement agreement and release, whether or not such class member objected to the settlement and whether or not such class member received consideration under the settlement agreement.

12. Class members who wish to object to the settlement must mail a written objection to the settlement administrator, class counsel, and to the Court.¹ The objection must include the following information:

- a. The objector's full name.
- b. The objector's address.
- c. The objector's phone number.
- d. Proof that the objector is a member of the settlement class.
- e. The reasons the objector objects to the proposed settlement agreement, including any factual or legal basis for objection.
- f. All counsel representing the objector, if any.
- g. A list, including case name, court, and docket number, of all other cases in which the objector's counsel has filed an objection in any proposed class action settlement in the past five years.
- h. A statement regarding whether the objector intends to appear at the Final Approval Hearing.
- i. The objector's signature.

13. The Court adopts the following schedule for the remaining events in this case, which ensures that the appropriate state and federal officials are served with the notification required by the Class Action Fairness Act:

¹ To submit a written objection to the Court, the objector can address mail to Clerk, United States District Court for the Eastern District of Pennsylvania, 601 Market Street, Philadelphia, PA 19106, submit an objection in-person with the Clerk of Court, or file objections electronically through the Court's Electronic Claims Filing system.

Event	Date
Philadelphia Inquirer provides CAFA Notice required by 28 U.S.C. § 1715(b)	October 14, 2024.
Philadelphia Inquirer to provide contact information for class members	November 4, 2024.
Notice Plan commences (“Notice Date”)	November 29, 2024.
Compliance with CAFA Waiting Period under 28 U.S.C. § 1715(d)	90 days after the appropriate governmental offices are served with CAFA notice.
Postmark deadline for requests for exclusion (Opt-Out) and objections	January 28, 2025.
Deadline to file Plaintiffs’ Motion for Final Approval of the Settlement Agreement and Motion for Fee Award and Costs, and Service Awards	January 14, 2025.
Postmark/Filing deadline for members of the class to file claims	February 27, 2025.
Deadline for Plaintiffs to file any Response to Objections or Supplement to Motion for Final Approval	March 11, 2025.
Deadline for settlement administrator to file or cause to be filed, if necessary, a supplemental declaration with the Court	March 13, 2025.
Final Approval Hearing	March 18, 2025, at 10:00 a.m. The Final Approval Hearing will be held in Courtroom 16-B of the James A. Byrne United States Courthouse, 601 Market Street, Philadelphia, PA.

IT IS SO ORDERED.

/s/ Karen Spencer Marston
KAREN SPENCER MARSTON, J.